

JUDGE RAMOS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: **JUN 22 2017**

UNITED STATES OF AMERICA

: INDICTMENT

- v. -

PAUL DEAN,
ROBERT ESPINEL, and
GAETANO VALASTRO,
a/k/a "Guy,"

17 CRIM 398

Defendants.

COUNT ONE

The Grand Jury charges:

1. From in or about 2014, up through and including in or about 2015, in the Southern District of New York and elsewhere, PAUL DEAN, ROBERT ESPINEL, and GAETANO VALASTRO, a/k/a "Guy," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Section 666.

2. It was a part and an object of the conspiracy that PAUL DEAN and ROBERT ESPINEL, the defendants, and others known and unknown, being agents of a local government and an agency thereof, which received in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant,

contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, corruptly would and did solicit and demand for the benefit of a person, and accept and agree to accept, things of value from a person, intending to be influenced and rewarded in connection with business, transactions, and series of transactions of such local government and agency involving a thing of value of \$5,000 and more, to wit, DEAN and ESPINEL, along with others in the New York City Police Department ("NYPD") License Division, agreed to solicit and accept bribes from GAETANO VALASTRO, the defendant, and others, in exchange for the assistance of DEAN, ESPINEL, and others in the License Division in approving, expediting the issuance of, and upgrading gun licenses, among other matters before the License Division, in violation of Section 666(a)(1)(B) of Title 18 of the United States Code.

3. It was further a part and an object of the conspiracy that GAETANO VALASTRO, a/k/a "Guy," the defendant, and others known and unknown, willfully and knowingly would and did corruptly give, offer, and agree to give a thing of value to a person, with intent to influence and reward an agent of a local government and an agency thereof, which received in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee,

insurance, and other form of Federal assistance, in connection with business, transactions, and series of transactions of a local government and agency involving a thing of value of \$5,000 and more, to wit, VALASTRO agreed to pay bribes to PAUL DEAN and ROBERT ESPINEL, the defendants, and others in exchange for their assistance in approving, expediting the issuance of, and upgrading gun licenses, among other matters before the License Division, in violation of Section 666(a)(2) of Title 18 of the United States Code.

Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. In or about 2014, PAUL DEAN, the defendant, while employed as a Lieutenant by the NYPD and assigned to the NYPD License Division, received a payment of approximately \$1,000 from a gun license expediter.

b. In or about 2015, ROBERT ESPINEL, the defendant, while employed as an NYPD police officer and assigned to the NYPD License Division, solicited and accepted firearms and a firearms training course from GAETANO VALASTRO, a/k/a "Guy," the defendant.

c. In or about 2015, PAUL DEAN and ROBERT ESPINEL, the defendants, solicited and accepted food, alcohol, parties, dancers, and prostitutes from another gun license expediter.

d. In or about 2015, GAETANO VALASTRO, a/k/a "Guy," the defendant, gave cash and guns to a police officer who worked under PAUL DEAN, the defendant, in the NYPD License Division.

(Title 18, United States Code, Section 371.)

COUNT TWO
(Conspiracy to Commit Bribery)

The Grand Jury further charges:

5. From in or about November 2015, through in or about January 2016, in the Southern District of New York and elsewhere, PAUL DEAN, ROBERT ESPINEL, and GAETANO VALASTRO, a/k/a "Guy," the defendants, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Section 666.

6. It was a part and an object of the conspiracy that PAUL DEAN, ROBERT ESPINEL, and GAETANO VALASTRO, a/k/a "Guy," the defendants, and others known and unknown, willfully and knowingly would and did corruptly give, offer, and agree to

give a thing of value to a person, with intent to influence and reward an agent of a local government and an agency thereof, which received in a one year period, benefits in excess of \$10,000 under a Federal program involving a grant, contract, subsidy, loan, guarantee, insurance, and other form of Federal assistance, in connection with business, transactions, and series of transactions of such local government and agency involving a thing of value of \$5,000 and more, to wit, DEAN and ESPINEL, while about to retire from the NYPD and become gun license expeditors, worked with VALASTRO to offer to pay bribes to members of the NYPD's License Division to secure those members' assistance in approving gun license applications, in violation of Section 666(a)(2) of Title 18 of the United States Code.

Overt Acts

7. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. In or about December 2015, PAUL DEAN and ROBERT ESPINEL, the defendants, met with two other NYPD police officers in the License Division to propose paying future bribes to those officers for their assistance.

b. In or about December 2015, ROBERT ESPINEL, the defendant, while still employed at the NYPD, brought one of his and DEAN'S clients to the License Division in order to process that individual's application for a gun license.

c. In or about January 2016, GAETANO VALASTRO, a/k/a "Guy," the defendant, began allowing PAUL DEAN and ROBERT ESPINEL, the defendants, to use VALASTRO's gun store as the location of their expediting business.

(Title 18, United States Code, Section 371.)

COUNT THREE

(Conspiracy to Commit Extortion Under Color of Official Right)

The Grand Jury further charges:

8. In or about December 2015, in the Southern District of New York and elsewhere, PAUL DEAN and ROBERT ESPINEL, the defendants, and others known and unknown, unlawfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit extortion, as that term is defined in Title 18, United States Code, Section 1951(b)(2), that is, by obtaining cash payments from at least one gun license expediter, with the consent of the gun license expediter, such consent having been induced by fear of economic loss, and under color of official right, and would and did thereby obstruct, delay, and affect commerce and the movement of

articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, DEAN and ESPINEL, using their positions as members of the NYPD and threats of economic loss to the business of at least one gun license expediter, attempted to coerce at least one gun license expediter to pay kickbacks to DEAN and ESPINEL in exchange for their assistance in getting gun licenses approved.

(Title 18, United States Code, Sections 1951 and 2.)

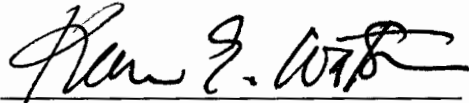
FORFEITURE ALLEGATIONS

9. As a result of committing one or more of the offenses alleged in Counts One and Two of this Indictment, PAUL DEAN, ROBERT ESPINAL, and GAETANO VALASTRO, a/k/a, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of one or more of the offenses alleged in Counts One and Two of this Indictment.

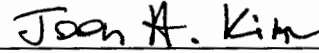
10. As a result of committing the offense alleged in Counts Three of this Indictment, PAUL DEAN and ROBERT ESPINAL, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; and Title 28, United States Code, Section 2461.)

A handwritten signature in cursive script, appearing to read "Alan J. Winters", written over a horizontal line.

FOREPERSON

A handwritten signature in cursive script, appearing to read "Joon H. Kim", written over a horizontal line.

JOON H. KIM
ACTING UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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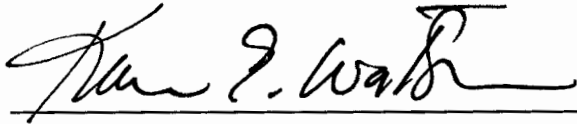
PAUL DEAN,
ROBERT ESPINEL, and
GAETANO VALASTRO, a/k/a "Guy,"

Defendants.

INDICTMENT

17 Cr. ____ (____)

(Title 18, United States Code, Sections 371, 666, and 1951.)



JOON H. KIM

Acting United States Attorney.

6/22/17 Filed INDICTMENT, CASE ASST. TO J. RAMOS

COTJ, USMJ